

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Patrick J. Sweeney

Title: METHOD AND DEVICE FOR  
DELIVERING MEDICINE TO BONE

Appl. No.:

Filing Date: Submitted Herewith

Examiner:

Art Unit:

21910 U.S. PTO  
10/620287  
07/15/03

**UTILITY PATENT APPLICATION**  
**TRANSMITTAL**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the nonprovisional utility patent application of:

Patrick J. Sweeney  
1711 Pinehurst Lane  
Flossmoor, Illinois 60422

[ X ] Applicant claims small entity status under 37 CFR 1.27.

Enclosed are:

[ X ] Specification, Claim(s), and Abstract (20 pages).

[ X ] Formal drawings (12 sheets, Figures 1, 2, 3a, 3b, 4, 5a, 5b, 6, 7, 8a, 8b, 9).

- Unexecuted Declaration and Power of Attorney (3 pages).
- Assignment of the invention to Spinal Generations.
- Assignment Recordation Cover Sheet.
- Small Entity statement.
- Request for application not to be published with certification under 35 USC 122(b)(2)(B)(i).
- Information Disclosure Statement.
- Form PTO/SB/08 with copies of \_\_\_ listed reference(s).
- Application Data Sheet (37 CFR 1.76).
- Claim for Convention Priority.

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$750.00	\$750.00
Total Claims: <u>29</u>	- <u>20</u>	= <u>9</u>	x \$18.00	=	\$162.00
Independents: <u>6</u>	- <u>3</u>	= <u>3</u>	x \$84.00	=	\$252.00
If any Multiple Dependent Claim(s) present:			+ \$280.00	=	\$0.00
Surcharge under 37 CFR 1.16(e) for late filing of Executed Declaration and late payment of filing fee			+ \$130.00	=	\$130.00
			SUBTOTAL:	=	\$1294.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):				=	\$647.00
			TOTAL FILING FEE:	=	\$647.00

- A check in the amount of \$0.00 to cover the filing fee is enclosed.
- The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 7/15/03

FOLEY & LARDNER  
Customer Number: 23524



23524

PATENT TRADEMARK OFFICE

Telephone: (608) 258-4305

Facsimile: (608) 258-4258

By Michelle Manning

Michelle Manning  
Attorney for Applicant  
Registration No. 50,592

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Patrick J. Sweeney

Date: July 15, 2003

Title: **METHOD AND DEVICE FOR DELIVERING MEDICINE TO BONE**

Docket No.: 029815-0102

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

"Express Mail" Mailing Label No.: EV 246426285 US

Date of Deposit: July 15, 2003

I hereby certify that these attached documents

- \* Patent Application Transmittal (3 pages)
- \* Patent Application (20 total pages: Spec. - 14 pages; Claims - 5 pages; Abstract - 1 page)
- \* Declaration and Power of Attorney (unsigned) (3 pages)
- \* Twelve (12) Sheets of Formal Drawings (Figs. 1-9)
- \* Application Data Sheet (3 pages)
- \* Return postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 35 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Enclosed for filing please find the above-referenced utility patent application. Please indicate receipt of this utility patent application by returning the attached postcard with the official Patent and Trademark Office receipt stamped thereon.



Monica J. Bohman  
Foley & Lardner  
P. O. Box 1497  
Madison, Wisconsin 53701-1497  
(608) 257-5035